

# **CITY OF SAN ANTONIO**

## **Zoning Commission Agenda**

Board Room  
First Floor, Development Business Service Center  
1901 S. Alamo

**September 20, 2005**  
**Tuesday, 11:30 A.M.**

### **ZONING COMMISSIONERS**

Gilbert Kissling – District 1	James Gray – District Mayor
Jureta Marshall – District 2	Jody Sherrill – District 7
Joe Farias – District 3	Dr. Morris A. Stribling – District 8
Henry Avila – District 4	James McAden – District 9
Eiginio Rodriguez – District 5	Robert R. Robbins – District 10
Christopher R. Martinez – District 6	
Chairman	

1. **Work Session presentation by zoning staff to discuss zoning case recommendations and other items for consideration on agenda for September 20, 2005, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. Call to Order – Board Room – 1:00 PM.
3. Roll Call.
4. Pledge of Allegiance.
5. Director's Report.
6. Approval of September 6, 2005 Minutes.
7. **ZONING CASE NUMBER Z2005167 S:** The request of Leif Zars, Applicant, for Medlin Properties Ltd., Owner(s), for a change in zoning from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-3" S ERZD General Commercial Edwards Recharge Zone District with Specific Use Permit for a Contractor's Facility on Lot 2, NCB 17866, 18952 Redland Road. (Council District 9)
8. **ZONING CASE NUMBER Z2005191 S:** The request of Texas Shine Express, LLC, Applicant, for Shops of Stone Oak, LP, Owner(s), for a change in zoning from "C-2" ERZD Commercial Edwards Recharge Zone District to "C-2" S ERZD Commercial Edwards Recharge Zone District with Specific Use Permit for a Car Wash on 1.0958 acres out of NCB 19223, 19000 Block of Huebner Road. (Council District 9)



9. **ZONING CASE NUMBER Z2005198:** The request of Amberson Rogers Partners, Ltd., Applicant, for Amberson Rogers Partners, Ltd., Owner(s), for a change in zoning from “C-1” Light Commercial District and “R-4” Residential Single-Family District to “O-1” Office District on Lots 4, 5, and 6, Block 1, NCB 6227, 2139 and 2141 East Hildebrand Avenue.  
(Council District 9)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
10. **ZONING CASE NUMBER Z2005183 S:** The request of Craig A. Slein, Applicant, for Craig A. Slein, Owner(s), for a change in zoning from “I-2” Heavy Industrial District to “RE” S Residential Estate District with Specific Use Permit for one Manufactured Home on Lot 1, Lot 2 and Lot 3, NCB 10579, 1027 Creekview Drive. (Council District 2)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
11. **ZONING CASE NUMBER Z2005206:** The request of Stuart Thomajan, Applicant, for Stuart Thomajan, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to PUD “R-5” Planned Unit Development Residential Single-Family District on 1.003 acres out of NCB 11889, 234 East Sunset Road. (Council District 9)
- A. Finding of consistency with Master Plan.  
B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2005205:** The request of Paul Bishop, Applicant, for PRS Realty II, L.P., Owner(s), for a change in zoning from “C-3R” Restrictive Commercial District to “RM-4” Residential Mixed District on 7.004 acres out of NCB18159, Southwest corner of Marbach Road and Hunt Lane. (Council District 4)
13. **ZONING CASE NUMBER Z2005045 A:** The request of City of San Antonio, Applicant, for Ricardo Rodriguez and Roland Villarreal, Owner(s), for a change in zoning from “C-2” Commercial District to “C-3NA” Commercial, Nonalcoholic Sales District on the east 180.2 feet of Lot 5, Block 10, NCB 8783 and “C-3NA” Commercial, Nonalcoholic Sales District to “C-2” Commercial District on the east 180.2 feet of Lot 4, Block 10, NCB 8783 to on the east 180.2 feet of Lot 5, Block 10, NCB 8783 and the east 180.2 feet of Lot 4, Block 10, NCB 8783, 727 Bynum Avenue and 731 Bynum Avenue.  
(Council District 4)
14. **ZONING CASE NUMBER Z2005208:** The request of Spector Investments Limited Partnership, Applicant, for Spector Investments Limited Partnership, Owner(s), for a change in zoning from “R-4” Residential Single Family District to “NC” Neighborhood Commercial District on Lots 2 through 8 and 27, Block 62, NCB 8012, 6202 and 6206 Zarzamora Street and 810 Vickers Avenue.  
(Council District 4)



15. **ZONING CASE NUMBER Z2005209:** The request of Charles Williams, Applicant, for Charles Williams, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “C-2” Commercial District on the south 60 feet of Lot 8 and south 72.5 feet of Lot 9, Block 7, NCB 10623, 4330 East Houston Street. (Council District 2)
16. **ZONING CASE NUMBER Z2005211 CD:** The request of David Silva, Applicant, for Ana C. Medina, Owner(s), for a change in zoning from “C-2NA” Commercial, Nonalcoholic Sales District to “C-2NA” (CD-Auto and Truck Repair) Commercial, Nonalcoholic Sales District with a Conditional Use for a Auto and Truck Repair on Lot 7, Block 4, NCB 11187, 115 Sioux Street. (Council District 4)
17. **ZONING CASE NUMBER Z2005214:** The request of Jennifer Smith and Sherri Lemons, Applicant, for Howard and Sharon Short, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-2” Commercial District on Lot 1, Block 1, NCB 13667, 9519 Fredericksburg Road. (Council District 8)
18. **ZONING CASE NUMBER Z2005215:** The request of Arturo and Maria de Lourde Monroy, Applicant, for Arturo and Maria de Lourde Monroy, Owner(s), for a change in zoning from “I-1” General Industrial District to “C-3” General Commercial District on Lot 7, Block 4, NCB 8782, 1273 New Laredo Highway. (Council District 4)
19. **ZONING CASE NUMBER Z2005217:** The request of Porter Poultry & Egg Company, Inc., Applicant, for Porter Poultry & Egg Company, Inc., Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “I-1” General Industrial District on Lots 10 and 11, Block 10, NCB 13961, 5470 Zupan Lane. (Council District 6)
20. **ZONING CASE NUMBER Z2005220:** The request of Brown, P. C., Applicant, for LM Enclave, L. P., Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-5” Residential Single-Family District on Lot 18 and Lot 49, Block 26, NCB 17643 and Lot 24, Block 28, NCB 17643, Wind Dancer and Wind Talker. (Council District 6)
21. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
22. **ADJOURNMENT**

**Accessibility Statement**

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245



# CASE NO: Z2005045 A

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 4

**Ferguson Map:** 649 B6

**Applicant Name:**

City of San Antonio

**Owner Name:**

Ricardo Rodriguez and Roland Villarreal

**Zoning Request:** From "C-2" Commercial District to "C-3NA" Commercial, Nonalcoholic Sales District on the east 180.2 feet of Lot 5, Block 10, NCB 8783 and "C-3NA" Commercial, Nonalcoholic Sales District to "C-2" Commercial District on the east 180.2 feet of Lot 4, Block 10, NCB 8783 to .

**Property Location:** The east 180.2 feet of Lot 5, Block 10, NCB 8783 and the east 180.2 feet of Lot 4, Block 10, NCB 8783

727 Bynum Avenue and 731 Bynum Avenue

West side of Bynum Avenue near SW Military Drive

**Proposal:** Auto upholstery facility

**Neigh. Assoc.** Quintana Community Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required

**Staff Recommendation:**

Approval.

The existing facility is operating as a furniture upholstery shop. The subject property is surrounded by commercial zoning and uses. The remaining "C-2" zoning will provide an appropriate transition to the residential uses to the west. The UDC requires that auto upholstery be performed indoors. This case was previously heard at the March 15, 2005 Zoning Commission hearing and the April 14, 2005 City Council meeting. The wrong legal description was advertised and approved by City Council. This case was initiated by the City of San Antonio in order to resolve this error.

**CASE MANAGER :** Pedro Vega 207-7980



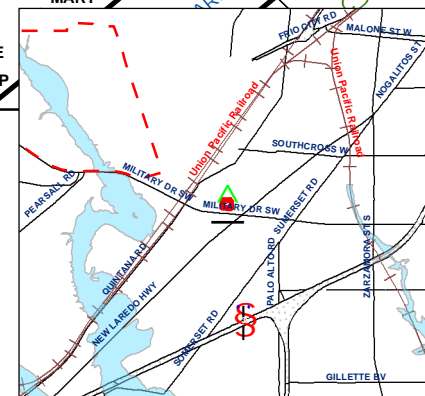
— Notices Mailed  
 — In Opposition  
 — In Favor



# ZONING CASE: **Z2005-045 A**

City Council District No. 4  
 Requested Zoning Change  
 From "C-2" To "C-3NA" and "C-3NA" to "C-2"  
 Date: September 22, 2005  
 Scale: 1" = 200'

■ Subject Property  
 ○ 200' Notification





# CASE NO: Z2005167 S

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

Zoning Commission Continuance from August 16, 2005  
and September 06, 2005

**Council District:** 9

**Ferguson Map:** 517 D1

**Applicant Name:**

Leif Zars

**Owner Name:**

Medlin Properties Ltd.

**Zoning Request:** From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-3 S ERZD" General Commercial Edwards Recharge Zone District with Specific Use Permit for a Contractor's Facility.

**Property Location:** Lot 2, NCB 17866

18952 Redland Road

North of the intersection of Legend Oaks and Redland Road

**Proposal:** To allow for a contractor's facility

**Neigh. Assoc.** Redland Ridge Neighborhood Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required, but may be required at building permit level.

### Staff Recommendation:

Approval.

The subject property is currently used for commercial development and is located close to the intersection of Legend Oaks and Redland Road. The subject property was annexed on December 30, 1985 as part of the Redland Oaks Annexation. In 1995 a zoning case was initiated at 18946 Redland Road (the property to the east) for "C-3 NA" ERZD on the front portion and "I-1 S" ERZD with a Specific Use Permit for a Contractor's Facility on the rear portion of the property. Upon approval of the zoning case, the new zoning districts were placed on the subject property (18952 Redland Road) in error. In 2005, the error was found and corrected. The zoning was changed back to "R-6" Single-Family Residential. The site is currently utilized for a Foreign Language School, Contractor's Facility, and an Insurance Office. All of the tenants have a Certificate of Occupancy except for the Contractor's Facility. The requested zoning change would be appropriate at this location due to the surrounding land uses.

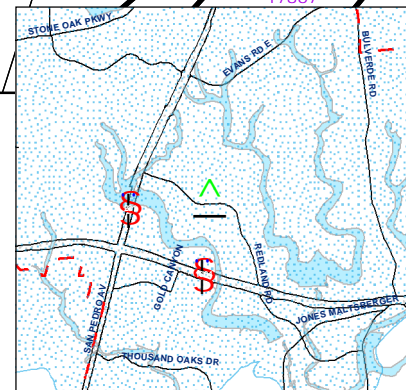
### Edwards Recharge Zone District Summary

1. SAWS is recommending Approval of the proposed land use of the contractor's facility without the auto/vehicle repair and maintenance operations.
2. This property is classified as Category 2.
3. The recommended impervious cover limit is 30%.

**CASE MANAGER :** Robin Stover 207-7945



In Favor



 **Subject Property**

 **200' Notification**





**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

DEV. SERVICES

2005 AUG -3 A 11: 35

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Karen Schubert, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2005167 (Gary Pools)

**Date:** August 2, 2005

**SUMMARY**

A request for a change in zoning has been made for an approximate 7.41-acre tract located on the city's north side. A change in zoning from "**R-6 ERZD**" to "**C-3 S ERZD**" is being requested by the applicant, Mr. Leif Zars. The change in zoning has been requested to allow for the operation of a contractor's office with auto/vehicle repair and maintenance operations. This property is classified as Category 2.

Based on the field observations of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use of the contractor's office without the auto/vehicle repair and maintenance operations. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is located in City Council District 9, along the northern side of Redland Road west of U.S. 281. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from R-6 ERZD to C-3 S ERZD and will allow for the operation of Gary Pools contractor's office. The property is currently developed and utilized as a contractor's office with leased office space. This use is not permitted with the current zoning. A private auto maintenance building also exists on the property, which is not a permitted use on the ERZD. Staff visited the Gary Pools contractor's office at its current location (438 Sandau Rd.) to determine any potential environmental concerns that may occur if this operation was to relocate on the ERZD. Vehicle/equipment repair and maintenance is preformed at the current location. Chemicals including oil, antifreeze, and diesel fuel are stored as a result of the maintenance and repair activities. An underground storage tank (UST) is also located at the current Gary Pools site.



Additionally, the warehouse storage facility houses their pipes, fittings, fixtures, pool equipment and chlorinating chemicals. The chlorinating chemicals were in the solid state such as tablets and powder in 5-gal containers. It is proposed that any liquid forms of the chlorinating chemicals will no longer be used or stored at the new site.

2. Surrounding Land Uses:

The majority of the surrounding properties are business, to include RL Jones, a RV and Boat Storage, Turner Roofing. A single-family residential subdivision, Redland Ridge, is immediately south of the site.

3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted field observations on June 30, 2005 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Ms. Joan Falkenberg, P.G., was present during the field evaluation and observed no sensitive recharge features on the site. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Leached and Collapsed Members of the Edwards Aquifer. The Leached and Collapsed Member is characterized as having the potential for solution feature development and is one of the most permeable of the Edwards Group. It is generally 70 to 90 feet thick in full section. The project site is covered in approximately 8-10 feet of fill material and observation of underlying geology was not possible due to the fill material.

A cave, known as Hurbie cave, is located immediately south of the site. The cave is near the entrance of Redland Ridge Subdivision and is buffered and grated. One well was located on the site. It is currently in operation. An operational septic system was also noted on the site.

Additionally, staff reviewed a Geologic Assessment report provided by the applicant, prepared by John Kniffen of Arias & Kezar Inc., and no sensitive recharge features were discovered on the site. Based on our evaluation, staff is in general agreement with the findings of the Geologic Assessment report. According to FEMA Flood Insurance Maps, no portion of the subject site is located within the 100-year floodplain.

4. Water Pollution Abatement Plan:

The Texas Commission on Environmental Quality approved Medlin Properties Business Park WPAP on August 29, 2001. It is noted that the improvements based on the WPAP as submitted were not fully completed.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:



1. Geologic Concerns:

- A. Pollutants may have the potential to enter the groundwater via Hurbie Cave, which is located south of the site across Redland Road. The Cave is partially surrounded by a stone fence as a measure to protect the feature from up gradient stormwater.

2. Site Specific Concerns:

- A. Water entering the warehouse storage facility, and mixing with the chlorinating chemicals.

3. Standard Pollution/Abatement Concerns:

- A. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- B. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

If the property is rezoned by the San Antonio City Council, then the following conditions shall apply to address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

### **Site Specific**

1. Stormwater runoff may not be discharged from the site without treatment by BMP's and the stormwater shall be discharged in such a manner as to minimize the potential for possible pollutants from entering the groundwater via Hurbie Cave.
2. Spill containment will be implemented to contain possible spills in the warehouse storage facility and other areas as appropriate. A storage facility shall be designed and approved by the Aquifer Protection and Evaluation Section to prevent the possibility of water mixing with chlorinating chemicals. No liquid chlorine shall be stored on the site.
3. The impervious cover shall not exceed 30% on the site or what presently exists on the site as certified by a licensed engineer.
4. As stated in Chapter 35 of the City Code, auto maintenance is not a permitted use on the ERZD. Maintenance and/or repair of vehicles and/or equipment shall not be permitted on the site.
5. If at anytime the well in use becomes abandoned, it must be properly plugged according to the City Code Chapter 34 Division 2 Section 574 by a registered well driller.
6. If at anytime the septic system on site becomes abandoned, it must be removed according to state and local regulations.



7. The owner or owner's agent shall inform any person leasing this tract or any portion of this tract that storage of hazardous materials is not permitted. Provisions prohibiting the storage of hazardous materials shall be included in any lease agreement should any portion of the property be leased. The owner or owner's agent shall be included in the lease agreement. The owner or owner's agent shall provide a copy of the lease provisions regarding the storage of hazardous materials to the Aquifer Protection Section of the San Antonio Water System for approval. The Aquifer Protection and Evaluation Section of the San Antonio Water System may randomly inspect, without notice, any or all of the facilities on the site to ensure compliance with ordinances.
8. The owner of all water pollution abatement structures shall be properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
9. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. The Owner of the property shall inform each tenant within this development in writing about Best Management Practices (BMP) for pesticide and fertilizer application, should any portion of this property be leased. Preventing groundwater pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
10. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

## **General**

1. Development within the floodplain and floodplain buffer zones must be in accordance with Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone in the Floodplain Preservation Area(s).
2. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
3. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.



4. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
5. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
6. If a water quality basin is constructed on the property, the following is required:
  - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
7. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
8. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.



Based on the field observations of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use of a contractor's office without the auto/vehicle repair and maintenance operations. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

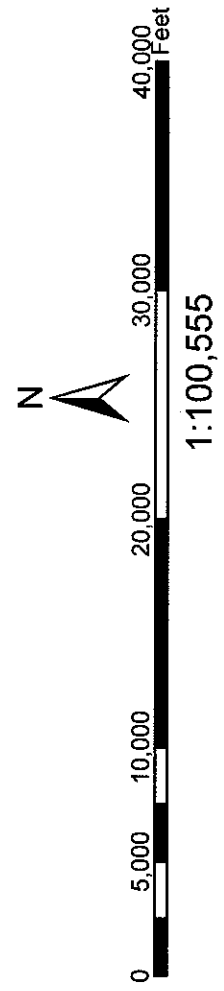
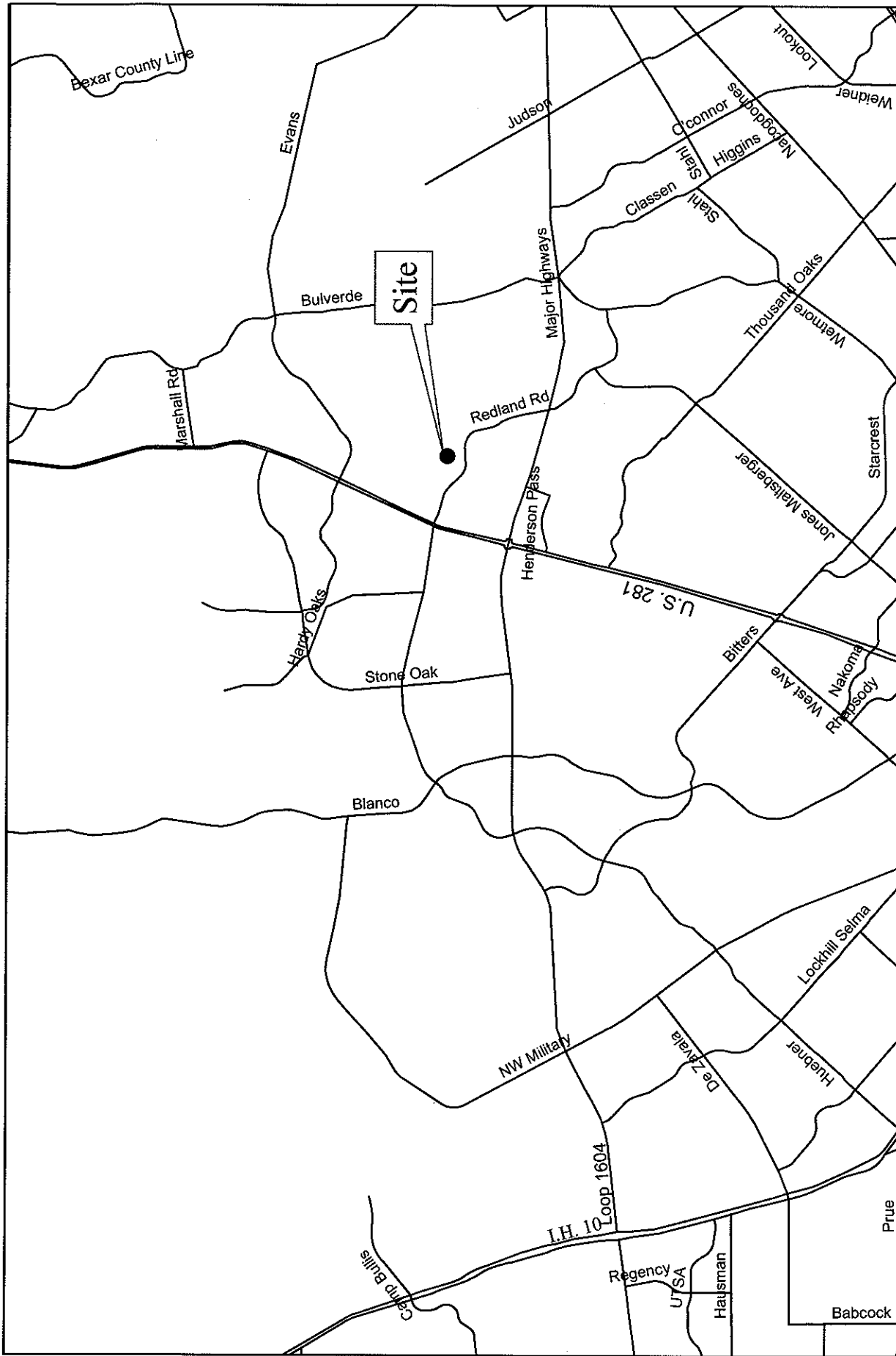
  
Kirk M. Nixon  
Manager, Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director, Resource Protection & Compliance Department

KMN:KJS





**Zoning Case Z2005167    Figure 1**

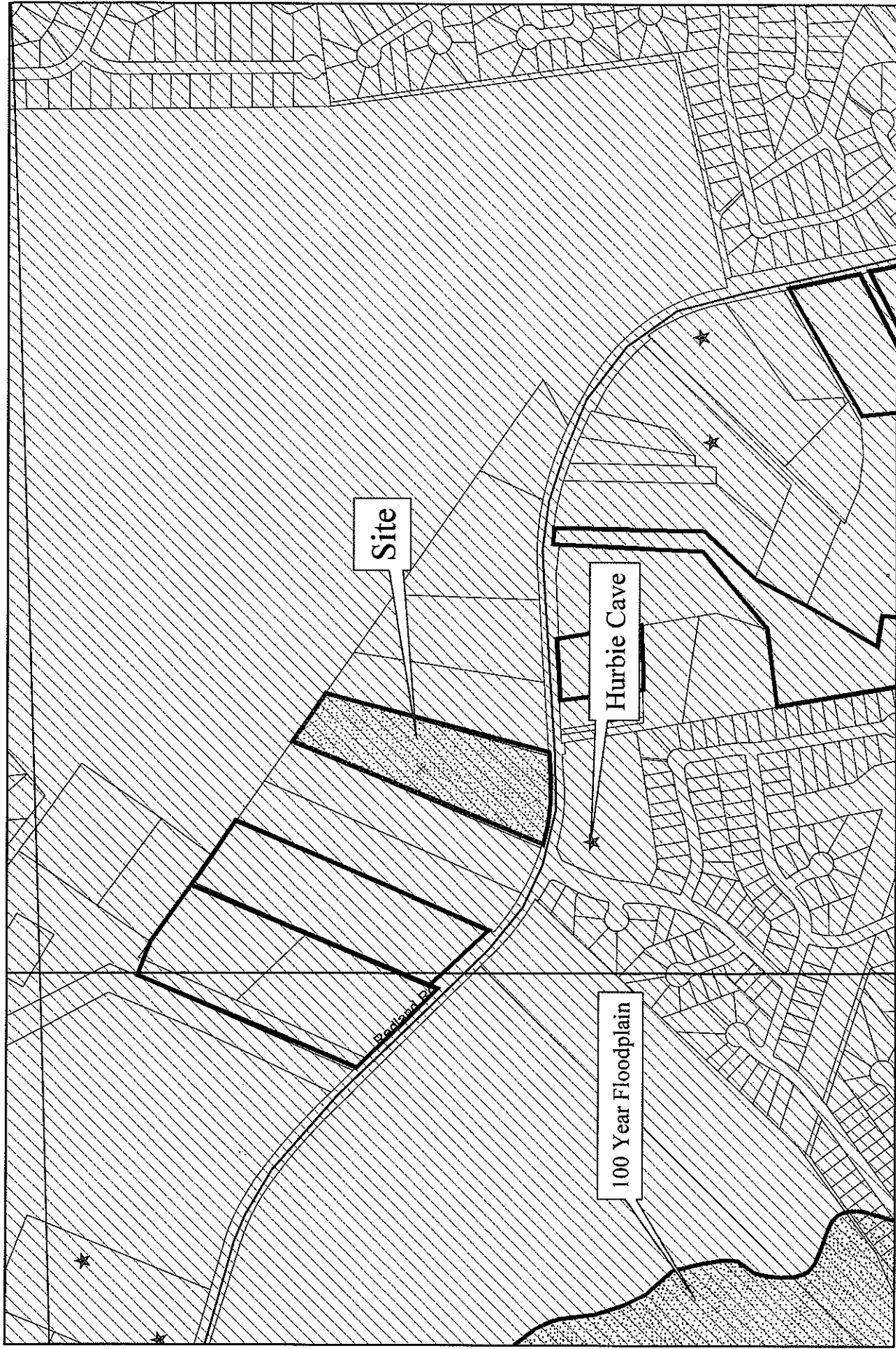
Gary Pools

Map Page 517 D1

X = 2142305    Y=13772529

Map Prepared by Aquifer Protection and Evaluation KJS 6/28/2005





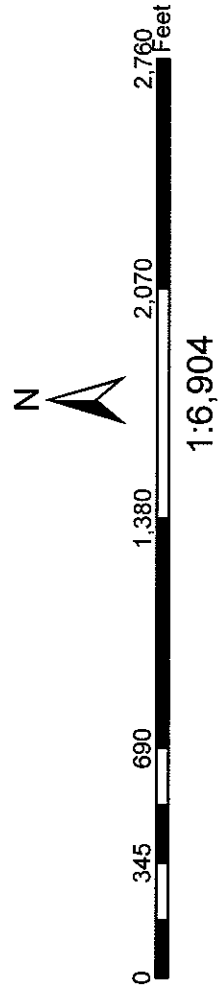
**Zoning Case Z2005167 Figure 2**

Gary Pools

Map Page 517 D1

X = 2142305 Y = 13772529

Map Prepared by Aquifer Protection and Evaluation KJS 6/28/2005





# CASE NO: Z2005183 S

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

Zoning Commission continuance from August 16, 2005

**Council District:** 2

**Ferguson Map:** 618 C3

**Applicant Name:**

Craig A. Slein

**Owner Name:**

Craig A. Slein

**Zoning Request:** From "I-2" Heavy Industrial District to "RE" S Residential Estate District with Specific Use Permit for one Manufactured Home.

**Property Location:** Lot 1, Lot 2 and Lot 3, NCB 10579

1027 Creekview Drive

Westside of Creekview Drive north of Gembler Road

**Proposal:** Manufactured home

**Neigh. Assoc.** United Homeowners Association

**Neigh. Plan** Arena District/Eastside Community Plan

**TIA Statement:** A Traffic Impact Analysis is not required.

### Staff Recommendation:

Consistent.

The Arena District/Eastside Community Plan identifies this site as High Density, Multifamily Residential and Open Space/ Park. Request conforms with land use plan if applicant rezones area outside the Open Space/ Park designation only. If applicant rezones the entire parcel applicant will need a plan amendment.

### Approval

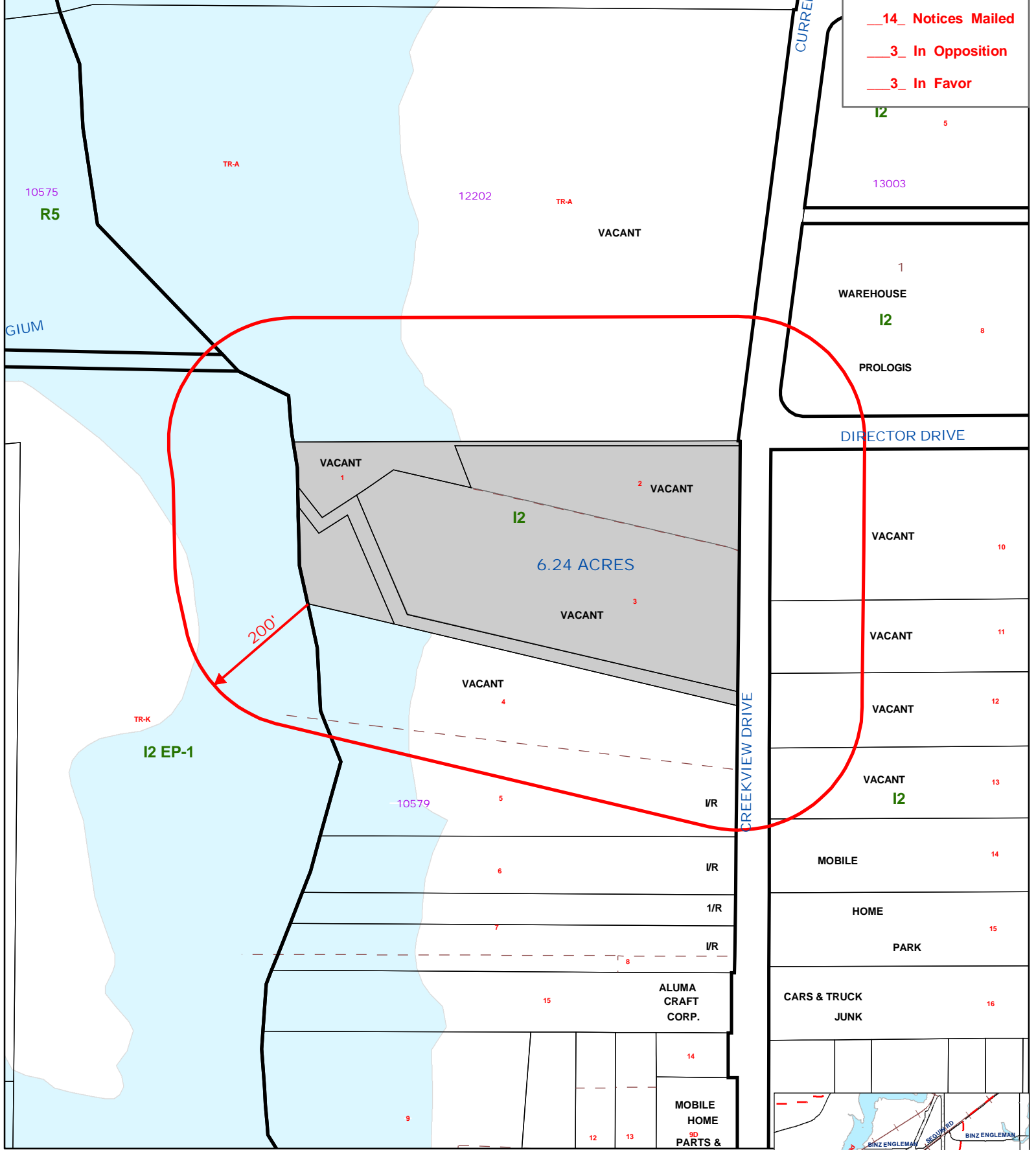
The subject property is currently undeveloped and located on Creekview Drive a local access street. The subject property is adjacent to "I-2" Heavy Industrial District to the north (vacant), south (vacant) and across the street to the east (vacant). The "RP" S Resource Protection District with Specific Use Permit for one Manufactured Home would be appropriate at this location due to the surrounding uses and natural features.

Registration of Development Preservation Rights to allow proposed residential use at 1027 Creekview Drive was issued on April 16, 2004. The Development Preservation Rights was issued for a single-family dwelling not a manufactured home.

**CASE MANAGER :** Pedro Vega 207-7980



14 Notices Mailed  
 3 In Opposition  
 3 In Favor



# ZONING CASE: **Z2005-183 S**

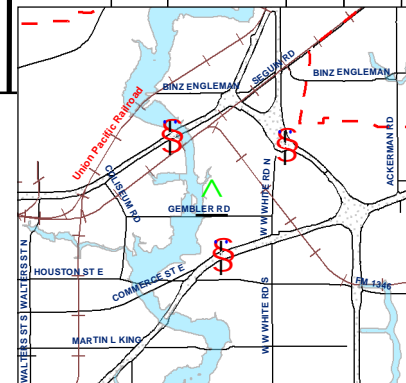
City Council District No. 2  
 Requested Zoning Change  
 From "I-2" To "RE"S  
 Date: September 20, 2005  
 Scale: 1" = 200'

Subject Property

200' Notification



C:\Aug\_2\_2005





# CASE NO: Z2005191 S

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

Zoning Commission continuance from September 6, 2005

**Council District:** 9

**Ferguson Map:** 482 E8

**Applicant Name:**

Texas Shine Express, LLC

**Owner Name:**

Shops of Stone Oak, LP

**Zoning Request:** From "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with Specific Use Permit for a Car Wash.

**Property Location:** 1.0958 acres out of NCB 19223

19000 Block of Huebner Road

Northside of Huebner Road, west of Stone Oak Parkway

**Proposal:** Automatic car wash

**Neigh. Assoc.** Sonterra Property Owners Association, Inc. and Stone Oak Property Owners Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is required. A Level-1 Traffic Impact Analysis (TIA) was submitted and is in compliance with TIA Ordinance 91700.

### Staff Recommendation:

Denial.

The subject property is undeveloped and located on Huebner Road, a major thoroughfare. The subject property is adjacent to "C-2 ERZD" Commercial Edwards Recharge Zone District to the north (Shops of Stone Oak under construction), east (Walgreen Drug Store) and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to the west (The Villas Sonterra Apartments). The current "C-2" Commercial District is more appropriate considering the location and residential dwellings in close proximity. "C-3" uses should be limited to the intersection of major thoroughfares. The site plan submitted indicates 5 foot landscape buffer along the west property line (260 feet). 5 feet is not adequate considering the adjacent multi-family dwellings.

### Buffer Yards Requirements

A proposed development zoned "C-2" Commercial District which adjoins an "MF-33" Multi-Family District is not required to provide a buffer yard. A proposed development zoned "C-3" General Commercial District which adjoins an "MF-33" Multi-Family District requires a Type "C" landscape buffer (15 feet). It is recommended that "C-3" uses permitted by Specific Use Authorization adhere to "C-3" landscape buffers.

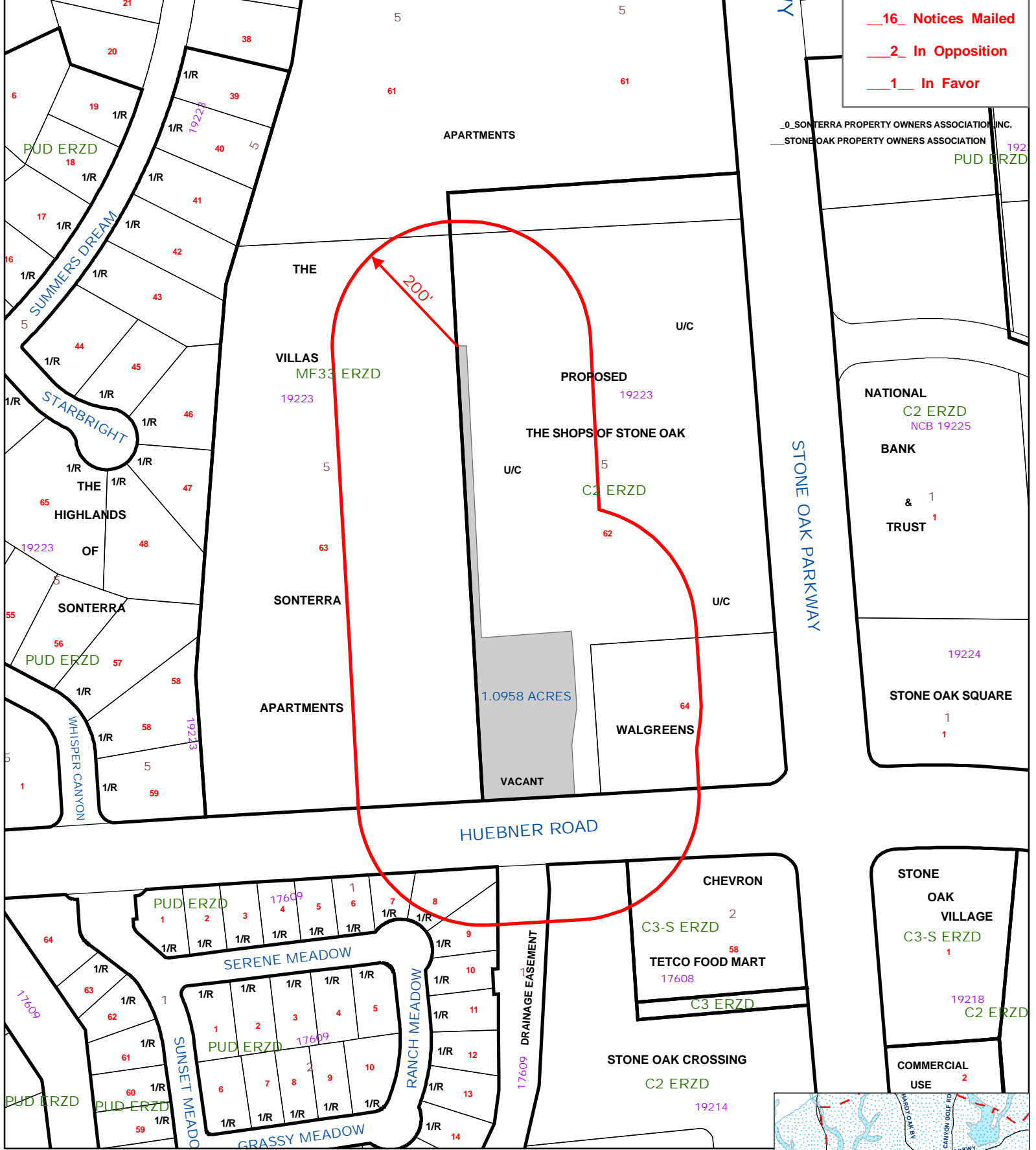
### Edwards Recharge Zone District Summary

1. SAWS recommends approval of the proposed land use.
2. This site is a Category 1 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 65%.

**CASE MANAGER :** Pedro Vega 207-7980



\_\_\_16\_\_\_ Notices Mailed  
 \_\_\_2\_\_\_ In Opposition  
 \_\_\_1\_\_\_ In Favor

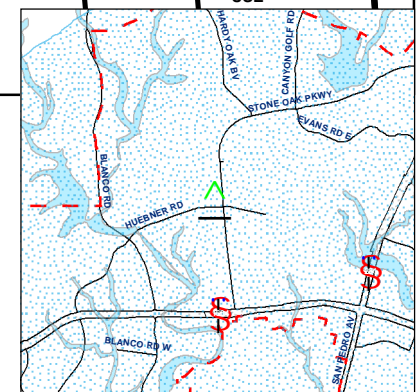


# ZONING CASE: **Z2005-191 S**

City Council District No. 9  
 Requested Zoning Change  
 From "C-2 ERZD" To "C-2 S ERZD"  
 Date: September 20, 2005  
 Scale: 1" = 200'

[Grey Box] Subject Property  
 [Red Circle] 200' Notification

H  
 C:\Sept\_6\_2005





**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

DEV. SERVICES  
2005 AUG 24 3:19

**To:** Zoning Commission Members

**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

**Subject:** Zoning Case Z2005191 (Automatic Car Wash)

**Date:** August 23, 2005

**SUMMARY**

A request for a change in zoning has been made for an approximate 0.9233-acre tract located on the city's north side. A change in zoning from **C-2 ERZD** to **C-2 S ERZD** is being requested by the applicant, Texas Shine Express, LLC., by Mr. Douglas Schoenenberger. The change in zoning has been requested to allow for the operation of an automatic car wash. The property is classified as Category 1 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

**LOCATION**

The subject property is located in City Council District 9, at the northwest corner of Stone Oak Pkwy and Huebner Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from C-2 ERZD to C-2 S ERZD and will allow for the construction of an automatic car wash. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

2. Surrounding Land Uses:

A Walgreens is immediately east of the property. A multi-family residential subdivision abuts the property boundary on the west side. The property to the north is currently under construction. The property is bounded to the south by Huebner Road.



3. Geologic Features:

The Resource Protection Division of the San Antonio Water System conducted a field observation on July 28, 2005 of the referenced property to access the geologic conditions and evaluate any environmental concerns preset at the site. SAWS staff Geologist, Joan Falkenberg, P.G., was present during the field evaluation and observed no sensitive recharge features on the site. Using the U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Dolomitic Member of the Edwards Group. The Dolomitic Member is characterized as generally porous and relatively permeable limestone. It is generally 110-130 feet thick in full section.<sup>1</sup> The site had soil coverage on most of the tract and several outcrops of bedrock were present. Staging and dumping of construction material from the adjacent site was observed. According to FEMA Flood Insurance Maps, no part of the subject property is within the 100 – year floodplain.

4. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

1. Standard Pollution/Abatement Concerns:

- A. All wash water should be contained within the car wash process area and gray water should not be allowed to drain off site.
- B. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
- C. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

## **ENVIRONMENTAL RECOMMENDATIONS**

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

---

<sup>1</sup> William G. Stein and George B. Ozuna, U.S. Geologic Survey Water Resources Investigations Report 95 - 4030, Austin, TX, 1996, p. 7



### Site Specific

1. The impervious cover shall not exceed 65% on the site.
2. All wash water must be recycled or the proper permits obtained to allow for the discharge of wash water to the sanitary sewer system.
3. Sand interceptors shall be installed in the drainage systems of the following establishments: garages, car washes, service stations, or any place of business where heavy solids or solids greater than ½ inch may be introduced into then sanitary sewer system. The sizing criteria for a sand interceptor shall be based on the required GPM X 12-minute retention times to obtain the tank size in gallon capacity or as amended in the Unified Plumbing Code.<sup>2</sup>
4. The owner should participate in the volunteer SAWS Commercial Car Wash Conservation Program that requires a participant to recycle at least 50% of all used water.
5. All water pollution abatement structures shall be properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
6. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing groundwater pollution, A Practical Guide to Pest Control, available form the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
7. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 704-1158 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.
8. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 704-7305.

---

<sup>2</sup> Unified Plumbing Code, 2003



## General

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. The land uses within the C-2 S ERZD zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
  - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
  - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
  - D. A copy of the approved Water Pollution Abatement Plan.
4. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
5. The owner/operator shall maintain and submit a Chemical Spill Prevention Plan to the San Antonio Water System (SAWS) for review and approval. The Chemical Spill Prevention Plan shall include, but is not limited to the following provisions:
  - A. A complete list, including Material Safety Data Sheets (MSDS), of all chemicals to be stored on the site. The list must include the maximum amount of each chemical kept on site at any time;
  - B. Procedures for promptly and properly cleaning any chemical leaks or spills;
  - C. Procedures for the proper disposal of any contaminated materials.

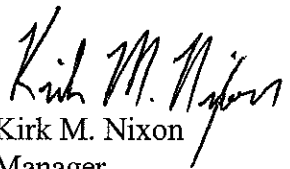


- D. Procedures for preventing any spilled chemicals from leaving the storage area(s).
  - E. All chemical storage areas shall be constructed with a depressed floor to contain and assist the cleanup of any spilled chemicals.
  - F. The storage, handling, use and disposal of all hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
6. If a water quality basin is constructed on the property, the following is required:
- A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 704-7305 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 704-7305 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 704-1158 prior to any discharge of water.
  - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
7. Landscaped areas shall be sensitive to minimizing water needs (i.e. use of native plants). The owner/operator of this development and each purchaser or occupant of an individual lot within this development shall be informed in writing about Best Management Practices (BMP) of pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by recognized authorities such as the Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, etc. shall be used.
8. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.




9. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

  
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:

  
Scott R. Halty  
Director  
Resource Protection & Compliance Department

KMN:MJB



# CASE NO: Z2005198

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 9

**Ferguson Map:** 583 B7

**Applicant Name:**

Amberson Rogers Partners, Ltd.

**Owner Name:**

Amberson Rogers Partners, Ltd.

**Zoning Request:** From "C-1" Light Commercial District and "R-4" Residential Single-Family District to "O-1" Office District.

**Property Location:** Lots 4, 5, and 6 Block 1, NCB 6227  
2139 and 2141 East Hildebrand Avenue

**Proposal:** To expand existing office building and add parking

**Neigh. Assoc.** Mahncke Park

**Neigh. Plan** Mahncke Park Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis is not required

**Staff Recommendation:**

Consistent. The Mahncke Park Neighborhood Plan calls for Neighborhood Commercial at this location which includes "O-1."

Approval.

The rezoning has been requested to allow for the expansion of an existing office building. The office building is currently located on property zoned "C-1" which limits the overall building size to 5,000 sq ft. Changing this zoning to "O-1" would allow for the building to expand up to 10,000 sq ft. The adjacent property is currently zoned "R-4." Changing this parcel to "O-1" will allow the building to expand to this lot and add additional space for parking. The renovated building will require at least one parking space for every 300 sq ft.

**CASE MANAGER :** Trish Wallace 207-0215



**ZONING CASE: Z2005-198**

**City Council District No. 9**

**Requested Zoning Change From "R-4,C-1" To "O-1"**

**Date: September 20, 2005**

**Scale: 1" = 200'**

- Notices Mailed
- In Opposition
- In Favor

**Subject Property**

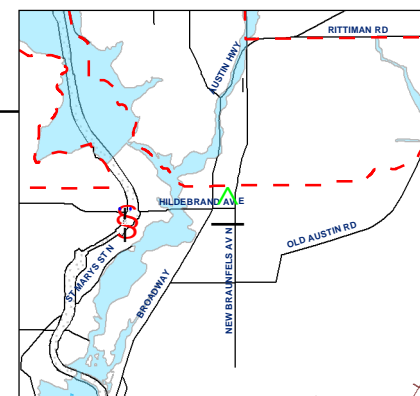
**200' Notification**

# M

C:\Sept\_6\_2005

**City Council District No. 9  
Requested Zoning Change  
From "R-4,C-1" To "O-1"  
Date: September 20, 2005  
Scale: 1" = 200'**


  
 C:\Sept 6 2005





# CASE NO: Z2005205

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

Zoning Commission Continuance from September 6, 2005

**Council District:** 4

**Ferguson Map:** 613 A6

**Applicant Name:**

Paul Bishop

**Owner Name:**

PRS Realty II, L.P.

**Zoning Request:** From "C-3R" Restrictive Commercial District to "RM-4" Residential Mixed District.

**Property Location:** 7.004 acres out of NCB18159

Southwest corner of Marbach Road and Hunt Lane

**Proposal:** To build residential duplexes

**Neigh. Assoc.** Adams Hill Neighborhood Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required

**Staff Recommendation:**

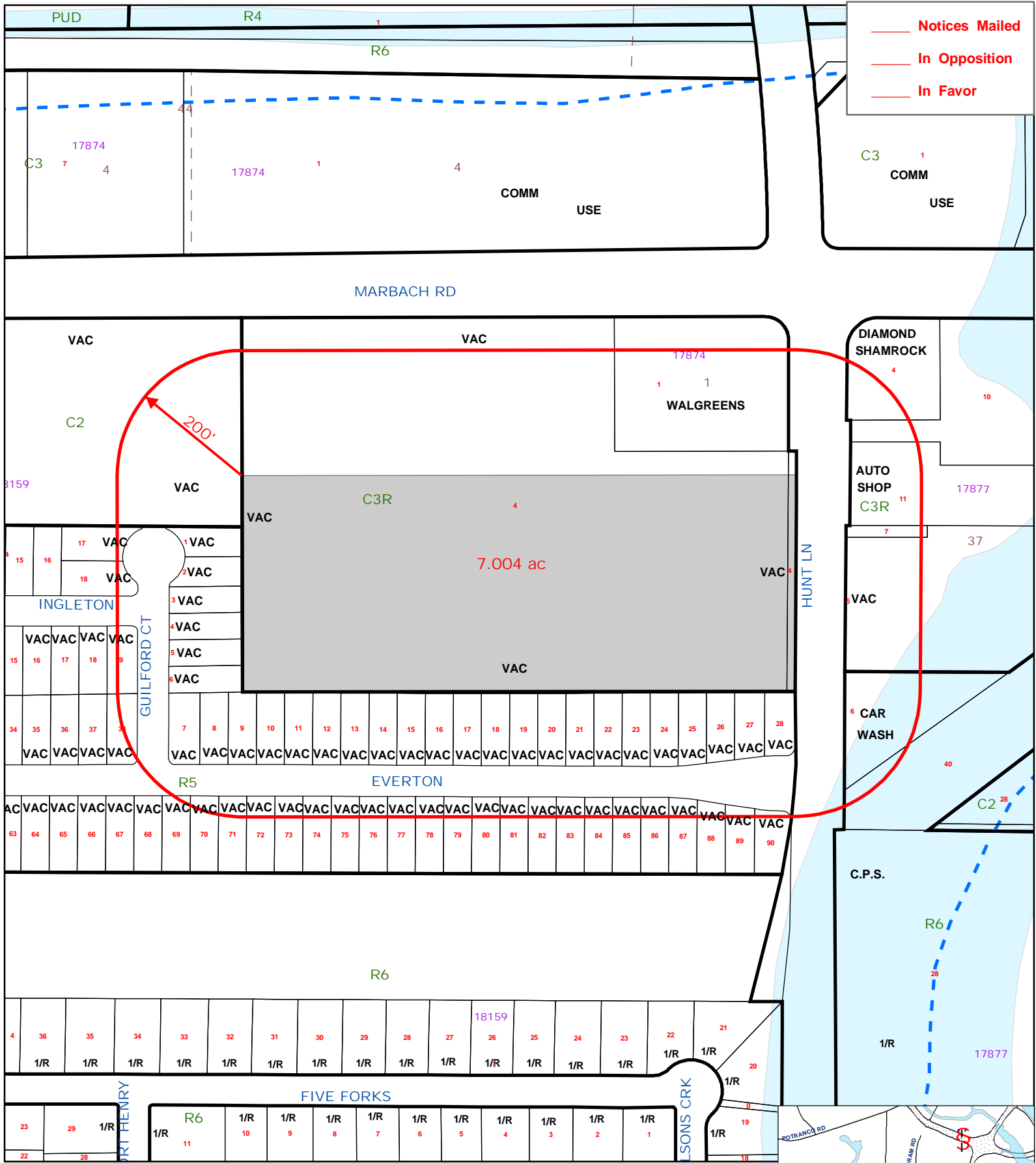
Approval.

"RM-4" Residential Districts provide areas for medium to high-density single family residential uses mixed with a variety of housing types such as single-family, two-family and multi-family dwellings. The "RM-4" zone is the ideal zone for Duplex use on a long, narrow site with limited access. Duplexes are indicated on the submitted application as the preferred development type.

Note: The owner submitted a revised request amending his application from "MF-33" to "RM-4" on August 30, 2005.

**CASE MANAGER :** Fred Kaiser 207-7942





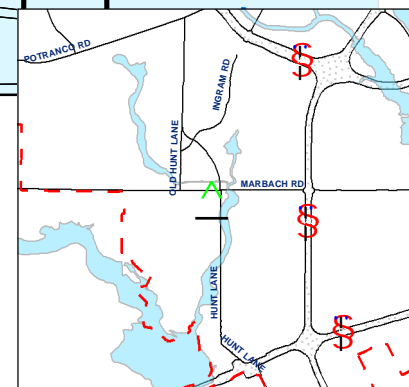
# ZONING CASE: Z2005-205

City Council District No. 4  
Requested Zoning Change  
From "C-3R" To "RM-4"  
Date: September 20, 2005  
Scale: 1" = 200'

Subject Property  
200' Notification



C:\Sept\_6\_2005





# CASE NO: Z2005206

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

Zoning Commission Continuance from September 06, 2005

**Council District:** 9

**Ferguson Map:** 583 C1

**Applicant Name:**

Stuart Thomajan

**Owner Name:**

Stuart Thomajan

**Zoning Request:** From "R-5" Residential Single-Family District to PUD "R-5" Planned Unit Development Residential Single-Family District.

**Property Location:** 1.003 acres out of NCB 11889

234 East Sunset Road

West of the intersection of Sunset Court and East Sunset Road

**Proposal:** For PUD designation

**Neigh. Assoc.** Oak Park/Northwood Neighborhood Association

**Neigh. Plan** Northeast Inner Loop Neighborhood Plan

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Consistent

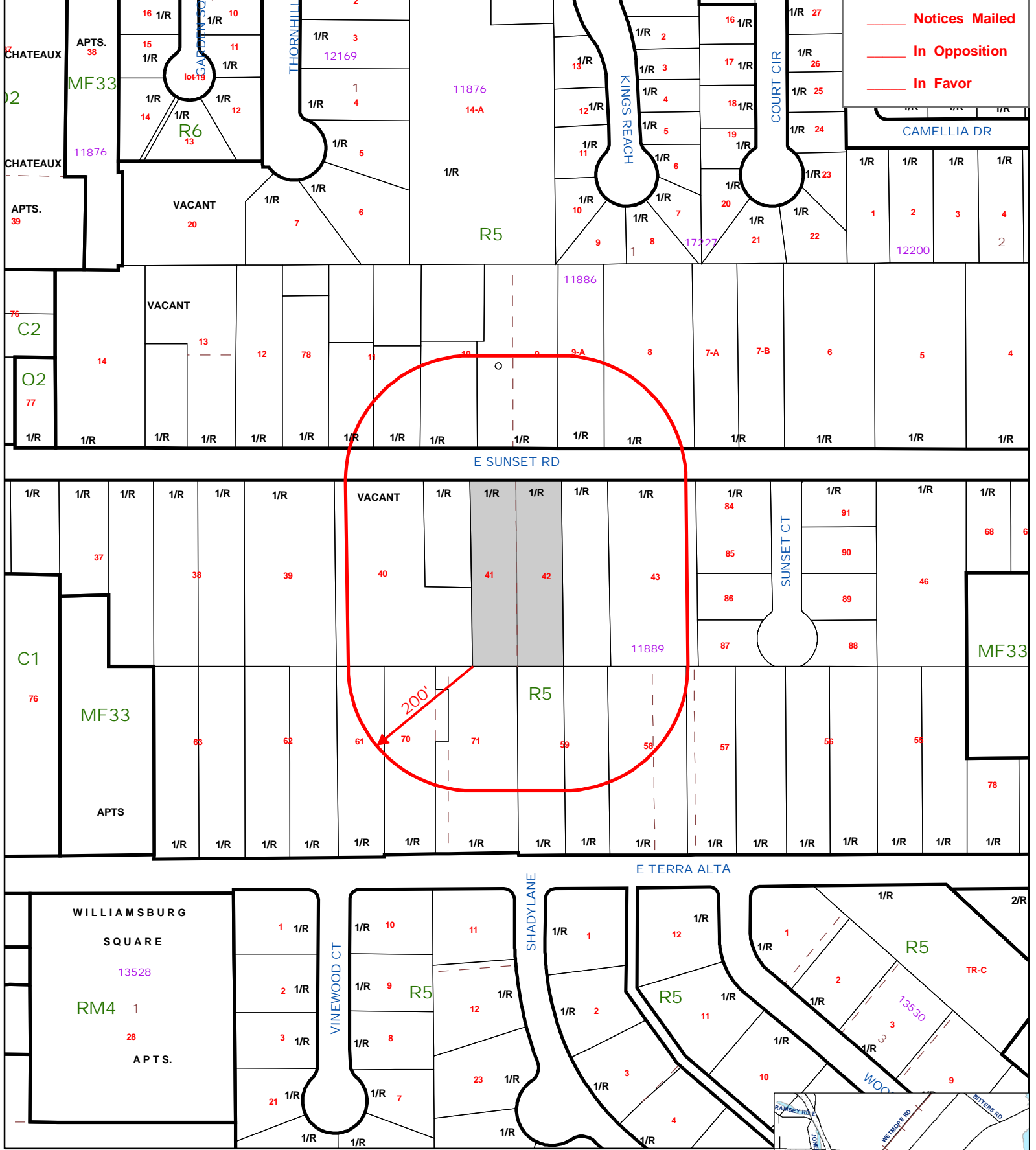
The request conforms to the land use plan.

Approval.

Currently there is a single-family residential unit located on the subject property. The surrounding properties are utilized for single-family residential units. PUD "R-5" would limit the density to 6 units per acre. The density permitted in PUD "R-5" is less than the current zoning, which would permit 9 units per acre. Higher density developments are encouraged within Loop 410.

**CASE MANAGER :** Robin Stover 207-7945



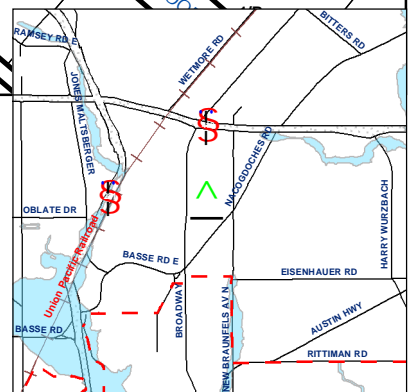


**ZONING CASE: Z2005-206**

**City Council District No. 9**  
**Requested Zoning Change**  
**From "R-5" To PUD "R-5"**  
**Date: September 20, 2005**  
**Scale: 1" = 200'**

-  Subject Property
-  200' Notification

  
C:\Sept\_6\_2005





# CASE NO: Z2005208

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 4

**Ferguson Map:** 649 F5

**Applicant Name:**

Spector Investments Limited Partnership

**Owner Name:**

Spector Investments Limited Partnership

**Zoning Request:** From "R-4" Residential Single Family District to "NC" Neighborhood Commercial District.

**Property Location:** Lots 2 through 8 and 27, Block 62, NCB 8012

6202 and 6206 Zarzamora Street and 810 Vickers Avenue

Northeast corner of South Zarzamorra Street and Vickers Avenue

**Proposal:** Remodel existing structures for neighborhood pedestrian access service

**Neigh. Assoc.** Tierra Linda Neighborhood Association

**Neigh. Plan** Nogalitos/Zarzamora Neighborhood Plan

**TIA Statement:** A traffic impact analysis is not required

**Staff Recommendation:**

Approval of "NC" Neighborhood Commercial District, pending finding of consistency.

The subject properties are located on the south east corner of South Zarzamora Street and Vickers Avenue. They currently contain two vacant residential structures and an undeveloped lot. The subject property is adjacent to "R-4" Residential Single-Family District to the east and south, with "C-3" General Commercial District and "C-2" Commercial District on the corners across the street to the north and west. The rezoning of these properties to "NC" Neighborhood Commercial District is reasonable given their location on South Zarzamora Street, a heavily traveled Secondary Arterial Type "B" road. The requested rezoning is also appropriate given their proximity to single-family residences since "NC" is the least intense commercial zoning district.

**CASE MANAGER :** Rudy Nino, Jr. 207-8389



In Favor

VAC	1/R	1/R	1/R	1/R
-----	-----	-----	-----	-----

1/R	1/R	1/R	1/R	1/R
1	2	3	4	5
			6	7
			8	9
			10	11
			12	13
			14	15
			16	17
			18	19
			20	21
1/R	1/R	1/R	1/R	1/R

LINDEN AVE

SALON DEL			1/R			1/R			1/R		
1	2	3	4	5	6	7	8	9	1	2	3
REINO						8001			R4		
13	14	15	16	17	18	19	20	21	22	23	24
1/R			1/R			1/R			1/R		

KYLE ST

IGLESIA CRISITANA					1/R			1/R		
1	2	3	4	5	6	7	8	9	1	
					R4			82		
					8014					
13	14	15	16	17	18	19	20	21	22	
1/R			1/R		1/R		1/R		1/R	

CLINTON ST

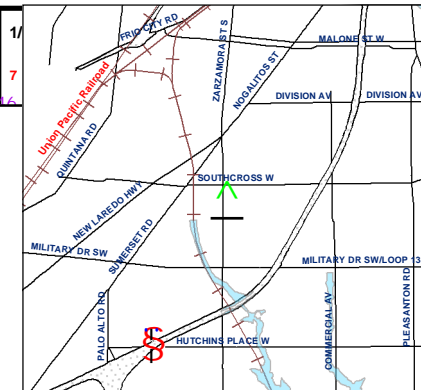
1/R	1/R	1/R	1/R	1/R
1	2	3	4	5
6	7	8	9	1
8023				
R4				
83				
13	14	15	16	17
18	19	20	21	22

WHITMAN AVE

[illegible]

 200' Notification

C:\Sept 6 2005





# CASE NO: Z2005209

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 2

**Ferguson Map:** 618 F5

**Applicant Name:**

Charles Williams

**Owner Name:**

Charles Williams

**Zoning Request:** From "R-5" Residential Single-Family District to "C-2" Commercial District.

**Property Location:** The south 60 feet of Lot 8 and south 72.5 feet of Lot 9, Block 7, NCB 10623

4330 East Houston Street

Northside of East Houston Street between Highway Drive and Kevin

**Proposal:** Barber shop

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A traffic impact analysis is not required

**Staff Recommendation:**

Denial of "C-2" Commercial District and Approval of "NC" Neighborhood Commercial District.

The subject property is currently undeveloped and located at East Houston Street. The subject property is adjacent to "C-2" Commercial District to the east, "R-5" Residential Single-Family District to the north and to the west. The "NC" Neighborhood Commercial District would be more appropriate than "C-2" Commercial District at this location. "C-2" zoning should be limited to the intersections of collectors or thoroughfares. "C-2" Commercial Districts accommodate commercial and retail uses that are more intensive in character than "NC" Neighborhood Commercial uses.

**CASE MANAGER :** Pedro Vega 207-7980







# CASE NO: Z2005211 CD

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 4

**Ferguson Map:** 649 C8

**Applicant Name:**

David Silva

**Owner Name:**

Ana C. Medina

**Zoning Request:** From "C-2NA" Commercial, Nonalcoholic Sales District to "C-2NA" (CD-Auto and Truck Repair) Commercial, Nonalcoholic Sales District with a Conditional Use for a Auto and Truck Repair..

**Property Location:** Lot 7, Block 4, NCB 11187

115 Sioux Street

Northside of Sioux Street between Somerset Road and Palo Alto Road

**Proposal:** Auto repair shop

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A traffic impact analysis is not required

**Staff Recommendation:**

Approval.

The subject property is adjacent to "C-2NA" Commercial, Nonalcoholic Sales District and "C-3R" Restrictive Commercial District to the east, "RM-4" Residential Mixed District to the north and to the west. Currently there is a Auto Repair Shop located on the subject property. The applicant was cited for not having a Certificate Of Occupancy and is requesting this change in zoning to be in compliance. The "C-2NA" (CD-Auto and Truck Repair) would be appropriate at this location with conditions 1. No more than 8 vehicles on site at any given time for repair or storage. 2. Each vehicle limited to 2 months maximum for storage. 3. No storage of junk vehicles.

The "C-2NA" (B-2NA) Commercial, Nonalcoholic Sales District was approved on May 30, 1985.

**CASE MANAGER :** Pedro Vega 207-7980



\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor

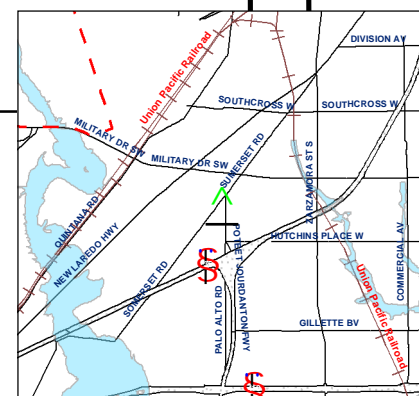


# ZONING CASE: **Z2005-211 CD**

City Council District No. 4  
 Requested Zoning Change  
 From "C-2NA" To "C-2NA" CD  
 Date: September 20, 2005  
 Scale: 1" = 200'

Subject Property  
 200' Notification

C:\Sept\_6\_2005





# CASE NO: Z2005214

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 8

**Ferguson Map:** 549 A6

**Applicant Name:**

Jennifer Smith and Sherri Lemons

**Owner Name:**

Howard and Sharon Short

**Zoning Request:** From "R-6" Residential Single-Family District to "C-2" Commercial District.

**Property Location:** Lot 1, Block 1, NCB 13667

9519 Fredericksburg Road

Westside of Fredericksburg Road south of Cinnamon Creek

**Proposal:** Donut and coffee shop (Daylight Donuts)

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

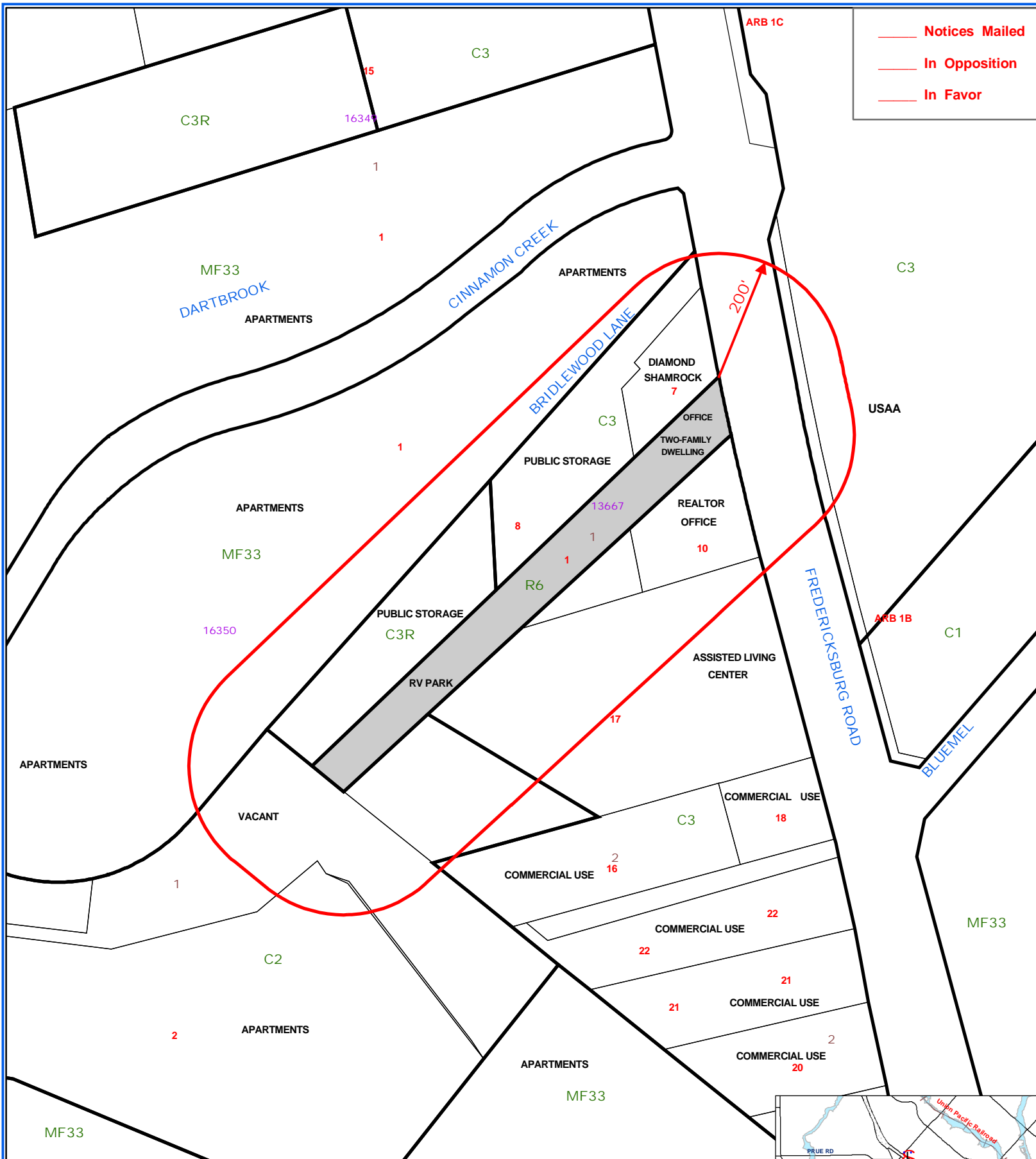
Approval.

The subject property is located on Fredericksburg Road a major thoroughfare. An RV Park with two buildings currently exists on the subject property. The subject property is surrounded by commercial zoned properties. The subject property is adjacent to "C-3" General Commercial District to the north and to the south. The "C-2" Commercial District would be appropriate at this location and consistent with development pattern along Fredericksburg Road. The applicant (Daylight Donuts) is currently located at 9606 Huebner Road.

**CASE MANAGER :** Pedro Vega 207-7980



\_\_\_\_\_ Notices Mailed  
 \_\_\_\_\_ In Opposition  
 \_\_\_\_\_ In Favor



# ZONING CASE: **Z2005-214**

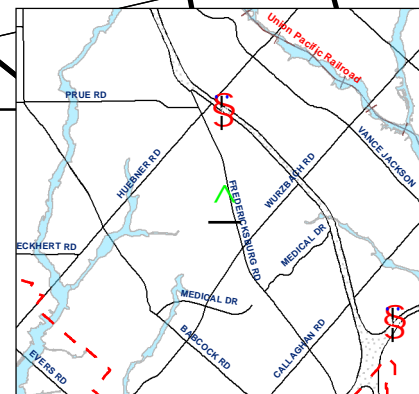
City Council District No. 8  
 Requested Zoning Change  
 From "R-6" To "C-2"  
 Date: September 20, 2005  
 Scale: 1" = 200'

[Gray Box] Subject Property

[Red Circle] 200' Notification



C:\Sept\_6\_2005





# CASE NO: Z2005215

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 4

**Ferguson Map:** 649 C7

**Applicant Name:**

Arturo and Maria de Lourde Monroy

**Owner Name:**

Arturo and Maria de Lourde Monroy

**Zoning Request:** From "I-1" General Industrial District to "C-3" General Commercial District.

**Property Location:** Lot 7, Block 4, NCB 8782

1273 New Laredo Highway

North of the Intersection of Southwest Military Drive and New Laredo Highway

**Proposal:** To operate a used car lot

**Neigh. Assoc.** Quintana Community Association

**Neigh. Plan** None

**TIA Statement:** A Traffic Impact Analysis is not required.

**Staff Recommendation:**

Approval.

The subject property is currently undeveloped and located north of the intersection of two major thoroughfares (New Laredo Highway and Southwest Military Drive). The surrounding properties are zoned for industrial use and are primarily auto repair facilities. There is a school located to the north on the other side of one of the auto repair shops. "C-3" commercial would be a down zoning from industrial. The proposed car lot would be appropriate at this location.

**CASE MANAGER :** Robin Stover 207-7945



[illegible]

**ZONING CASE: Z2005-215**

**City Council District No. 4**

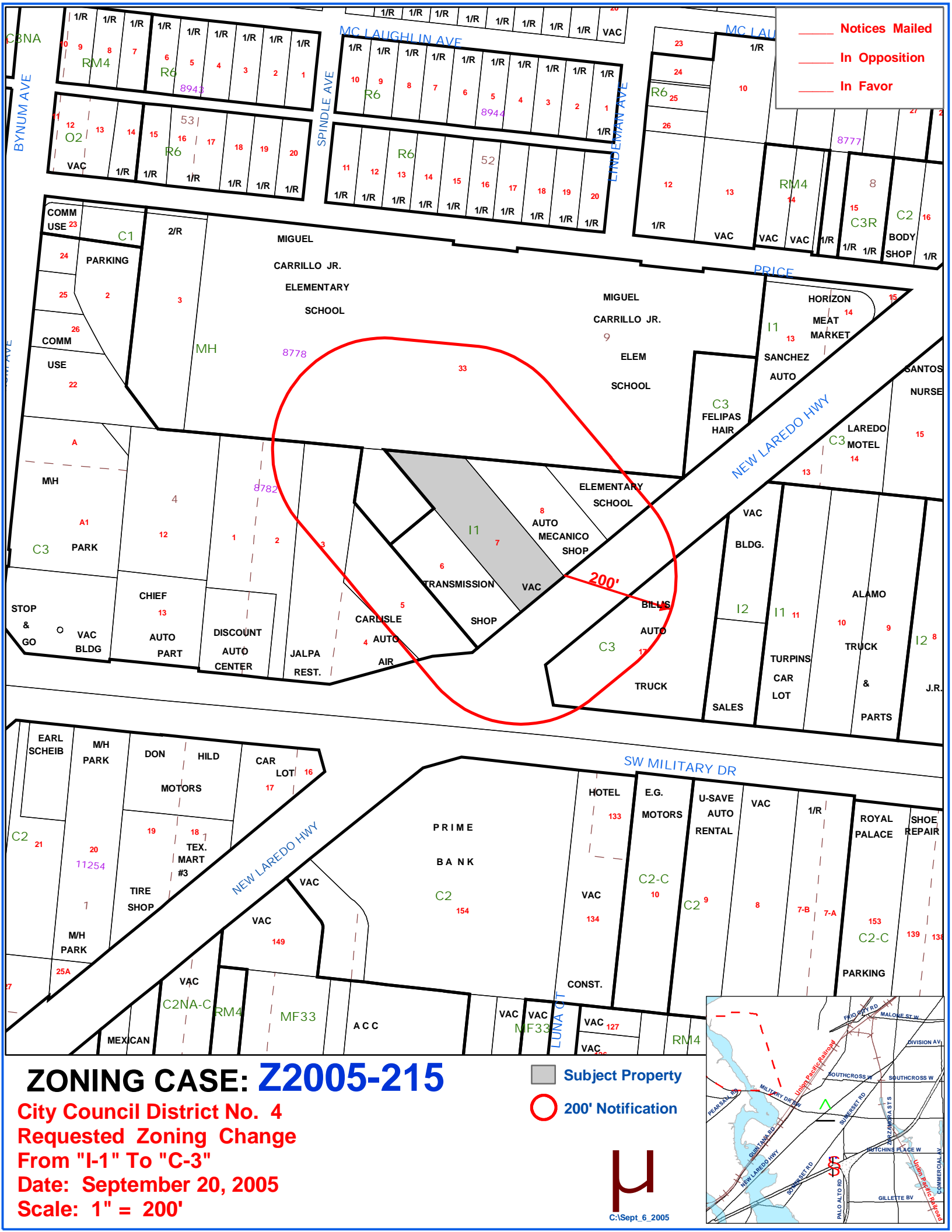
**Requested Zoning Change From "I-1" To "C-3"**

**Date: September 20, 2005**

**Scale: 1" = 200'**

Notices Mailed  
In Opposition  
In Favor

C:\Sept\_6\_2005

[illegible][illegible][illegible]

**ZONING CASE: Z2005-215**

**City Council District No. 4**

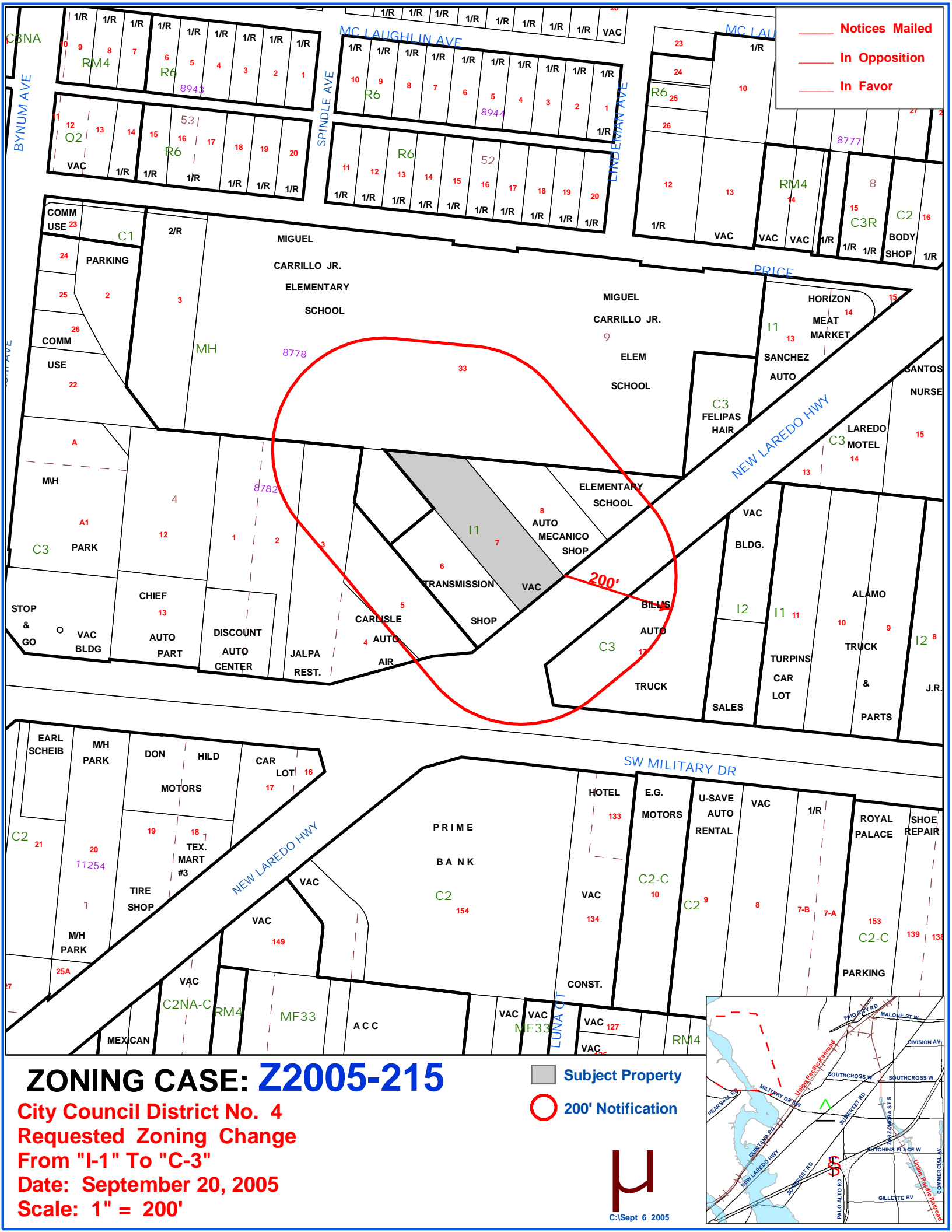
**Requested Zoning Change From "I-1" To "C-3"**

**Date: September 20, 2005**

**Scale: 1" = 200'**

Subject Property

200' Notification





# CASE NO: Z2005217

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 6

**Ferguson Map:** 614 D7

**Applicant Name:**

Porter Poultry & Egg Company, Inc.

**Owner Name:**

Porter Poultry & Egg Company, Inc.

**Zoning Request:** From "R-6" Residential Single-Family District to "I-1" General Industrial District.

**Property Location:** Lots 10 and 11, Block 10, NCB 13961

5470 Zupan Lane

Generally located on Zupan Lane east of South Callaghan Road

**Proposal:** To construct a storage building for wholesale food sales

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** Traffic Impact Analysis not required

**Staff Recommendation:**

Denial.

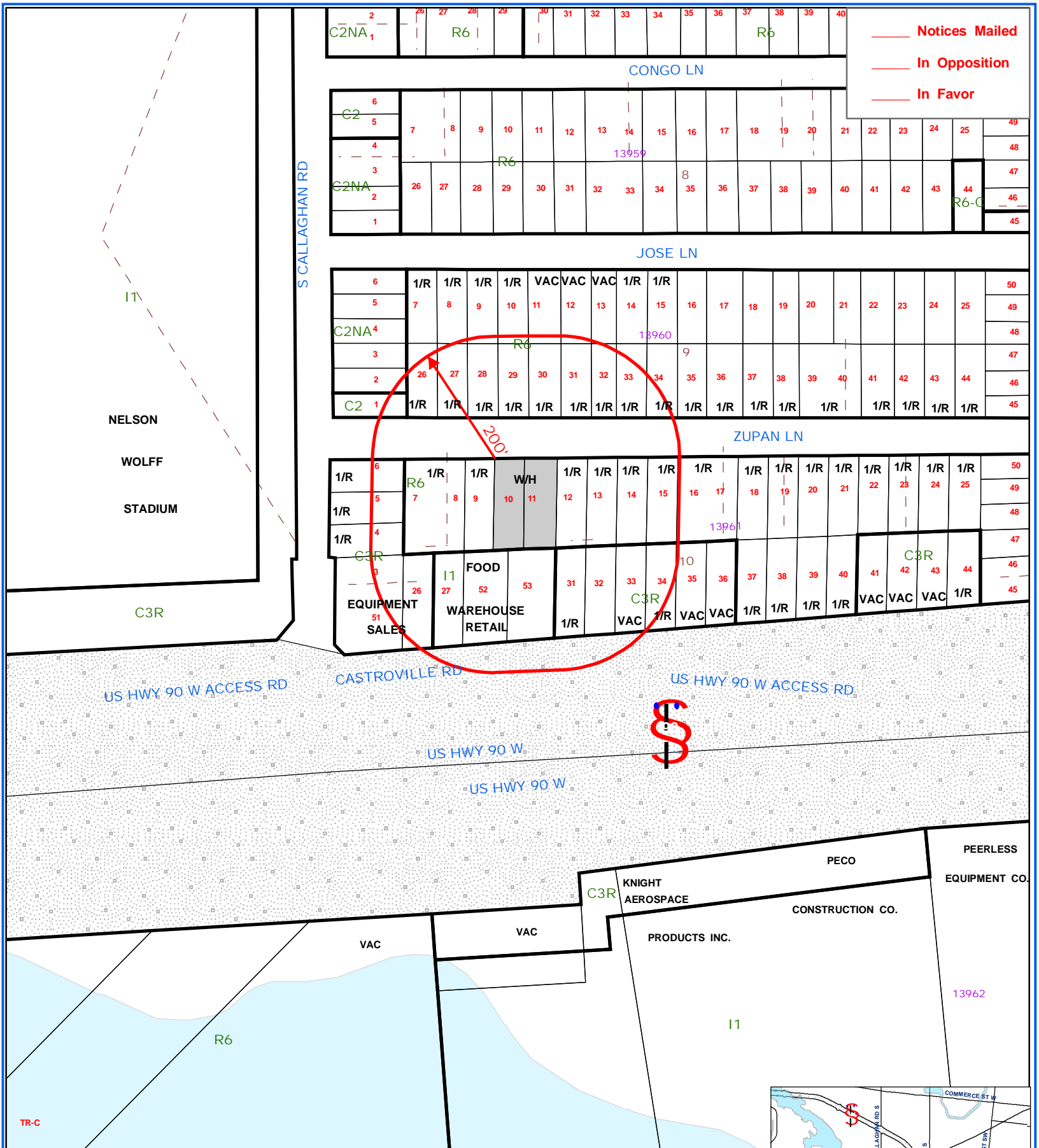
The Porter Poultry & Egg Company is a food distributor. The business has been issued a Certificate of Occupancy for property located at 5475 West Highway 90 which is appropriately zoned "I-1" (Industrial District). The company owns the subject property fronting Zupan Lane. This property is zoned for residential use and appears to be utilized for employee parking for the business located along Highway 90.

Because Zupan Lane is currently home to many single-family residences, it would not be appropriate to rezone these parcels for commercial or industrial use which would permit commercial traffic on Zupan Lane. Commercial uses are appropriate along Highway 90, but not along a residential street.

If the property were to be rezoned to I-1, this would require a 25 foot, Type D buffer, along the east and west boundaries because they are adjacent to residential uses. Each property is 50 feet wide which would reduce the usable land by half.

**CASE MANAGER :** Trish Wallace 207-0215





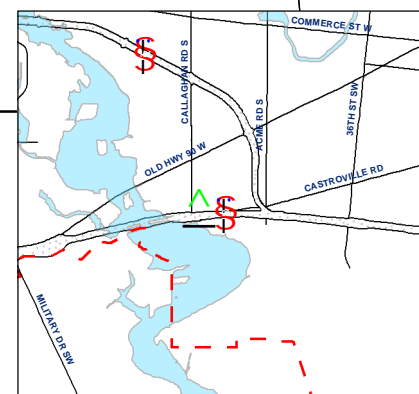
# ZONING CASE: **Z2005-217**

City Council District No. 6  
 Requested Zoning Change  
 From "R-6" To "I-1"  
 Date: September 20, 2005  
 Scale: 1" = 200'

Subject Property  
 200' Notification



C:\Sept\_6\_2005





# CASE NO: Z2005220

## Final Staff Recommendation - Zoning Commission

---

**Date:** September 20, 2005

**Council District:** 6

**Ferguson Map:** 613 A1

**Applicant Name:**

Brown, P. C.

**Owner Name:**

LM Enclave, L. P.

**Zoning Request:** From "R-6" Residential Single-Family District to "R-5" Residential Single-Family District.

**Property Location:** Lot 18 and Lot 49, Block 26, NCB 17643 and Lot 24, Block 28, NCB 17643

Wind Dancer and Wind Talker

East of North Hunt Lane

**Proposal:** To bring into compliance

**Neigh. Assoc.** None

**Neigh. Plan** None

**TIA Statement:** Traffic Impact Analysis not required

**Staff Recommendation:**

Approval.

The subject properties are currently undeveloped and located in the Enclave at Westover Hills Subdivision. These three lots were platted but did not meet the minimum lot area requirement of 6,000 square feet required by the "R-6" zoning. It was not until after platting that this error was discovered. If not for their location on cul-de-sacs and curved streets, these lots would meet the minimum area. Currently, these three lots are considered non-conforming and no building permits may be issued. Considering that the lots are already platted and are only slightly below the minimum area staff recommends approval.

The lot areas are as follows:

Lot 18 = 5,545 square feet

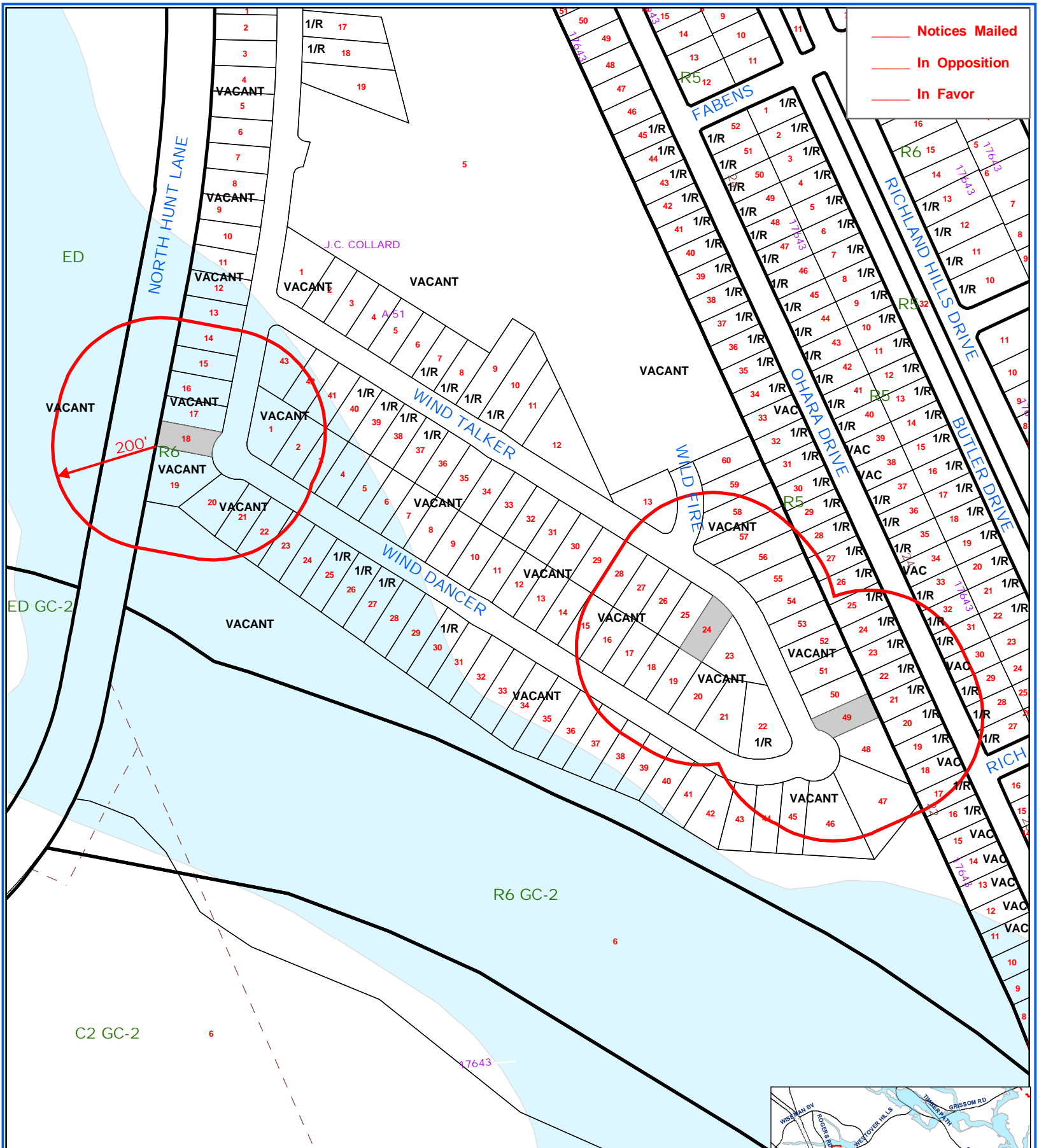
Lot 24 = 5,754 square feet

Lot 49 = 5,606 square feet

**CASE MANAGER :** Pedro Vega 207-7980



— Notices Mailed  
 — In Opposition  
 — In Favor



# ZONING CASE: **Z2005-220**

City Council District No. 6  
 Requested Zoning Change  
 From "R-6" To "R-5"  
 Date: September 20, 2005  
 Scale: 1" = 250'

■ Subject Property  
 ○ 200' Notification



C:\Sept\_6\_2005

